IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10910 of 1998

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

BANASKANTHA DISTRICT COOPERATIVE MILK PRODUCERS

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 10910 of 1998

MR TUSHAR MEHTA for Petitioner No. 1-2

MS HARSHA DEVANI A.G.P. for Respondent No. 1-3

MS MEGHA JANI for Respondent No. 4

MR SHIRISH JOSHI for Respondent No. 5

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 07/03/2003

ORAL JUDGEMENT

1. The petitioner before this Court is the Banaskantha District Co-operative Milk Producers Union Ltd., (hereinafter referred to as "the Society") and one another. The Society has challenged the notice dated 19th December, 1998 issued by the State Government calling upon the Society to show cause why, in exercise of powers under Section 80 (2) of the Gujarat Co-operative Societies Act, the Government representatives shall not be nominated on the Managing Committee of the Society. Pending this petition, under communication dated 4th September, 2001, the Society has been informed that the impugned notice dated 19th December, 1998 has been withdrawn. The said communication dated 4th September, 2001 is ordered to be kept on the records of the matter. In view of the said withdrawal of the impugned notice, the cause of action shall not survive.

2. In above view of the matter, the petition is dismissed. Rule is discharged. Interim relief stands vacated. There shall be no order as to costs.

[Ms.R.M. Doshit, J.]

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